

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2090

IN THE MATTER OF:

Served March 5, 1980

Application of INTERNATIONAL)	Case No. AP-80-06
LIMOUSINE SERVICE, INC., for)	
Temporary Authority to Conduct)	
Charter Operations Pursuant to)	
Contract -- EEOC		

By application filed March 4, 1980, International Limousine Service, Inc., seeks temporary authority to transport passengers and mail, express and baggage, in the same vehicle with passengers, in charter operations pursuant to a contract with the Small Business Administration (SBA) for the benefit of the U.S. Equal Employment Opportunity Commission (EEOC). */ Service would run between EEOC offices located at 2401 E Street, N. W., Washington, D. C., and Skyline Building No. 2, 5203 Leesburg Pike, Falls Church, Va.

The contract covers the period March 3 through September 30, 1980. The contract price of \$26,443.30 contemplates 16 one-way trips each work day at a rate of \$22.18 per trip. No additional charge is to be made for the transportation of baggage or small parcels. The contract requires one 16-passenger vehicle equipped with a hydraulic lift, wheelchair lockdowns, raised roof and door frames and a capacity for carrying at least four passengers confined to wheelchairs. Applicant has a 1978 van that is acceptable to EEOC under these requirements.

In support of the application, EEOC states that lack of sufficient space at its E street location necessitated the relocation of some employees to Skyline Building No. 2. Certain EEOC employees' responsibilities

*/ Inasmuch as payment will be made directly by EEOC and that agency will administer the contract, we shall consider EEOC to be the contractor with SBA acting as its agent.

require daily interaction with staff members at both locations and the proposed service will facilitate that process. For various reasons, EEOC cannot perform the service itself and elected to contract with a carrier certified by SBA as eligible under Section 8(a) of the Small Business Act. The service has not yet been performed, and EEOC knows of no acceptable transportation alternative.

Title II, Article XII, Section 4(d)(3) of the Compact permits the Commission, in its discretion, to grant temporary authority in situations where there exists an immediate and urgent need for service which no existing carrier is capable of providing. Such circumstances exist in this case. Several carriers operate vans that have been modified to accommodate wheelchair passengers, but they are authorized only to engage in special operations at per-capita rates. Conversely, charter carriers with authority that would embrace this service do not operate the specialized equipment required by the contract.

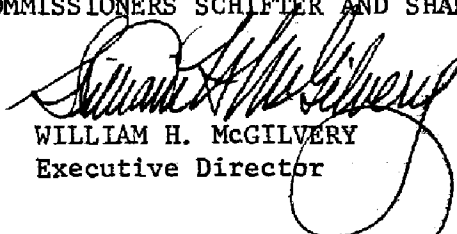
Inasmuch as the criteria of the Compact have been met and applicant has filed an appropriate tariff (WMATC Tariff No. 3) and evidence of insurance, temporary authority shall be granted without conditions precedent. Because the Compact precludes issuance of temporary authority for more than 180 days, a period shorter than the term of this contract, an application should also be filed pursuant to Commission Regulation No. 70. The granting of temporary authority herein, of course, raises no presumption that a Regulation No. 70 application will be granted.

THEREFORE, IT IS ORDERED:

1. That applicant is hereby granted temporary authority to transport employees of the Equal Employment Opportunities Commission and mail, express and baggage, in the same vehicle with passengers, in charter operations pursuant to a contract with the Equal Employment Opportunity Commission between its offices located at 2401 E Street, N. W., Washington, D. C., and Skyline Building No. 2, 5203 Leesburg Pike, Falls Church, Va., restricted to the performance of such transportation in a 16-passenger vehicle equipped with a hydraulic lift and mechanisms for securing passengers in wheelchairs during transit.

2. That said temporary authority is effective on this date and shall expire at 11:59 p.m. on Sunday, August 31, 1980, unless otherwise ordered by the Commission.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS SCHIFTER AND SHANNON:



WILLIAM H. MCGILVERY
Executive Director